STEVENSON
MARINOLLP

Justin R. Marino, Principal   d: (212) 939 – 7228   f: (212) 531-6129
a: 75 Maiden Lane, Suite 402, New York, NY 10038   e: jmarino@stevensonmarino.com

November 6, 2018

VIA ECF

Honorable Margo K. Brodie
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

       Re: *Mason et al. v. Lumber Liquidators*
             17-cv-04780 (MKB) (RLM)

Dear District Judge Brodie:

      This office represents Plaintiffs in the above-referenced matter. We write together with Defendant's counsel to request (1) the below proposed briefing schedule concerning Plaintiff's motion to certify a FLSA Collective Action (*see* dkt 41-42) (hereinafter, the "Motion") be adopted[1], and (2) a directive as to whether Your Honor or Chief Magistrate Judge Mann will be deciding upon the Motion (so we can ensure compliance with the appropriate individual rules and practices).[2] The proposed briefing schedule is as follows:

- Defendant's Opposition is Due on or before November 23, 2018;
- Plaintiff's Reply is Due on or before December 7, 2018.

    We thank Your Honor in advance for your consideration of the foregoing.

                 Respectfully submitted,

                 /s/ Justin R. Marino
                 Justin R. Marino

cc: Defendant's Counsel (via ECF)

---

[1] Based on a conversation today with Defendant's counsel and Your Honor's clerk, we were advised to submit the foregoing proposed briefing schedule.

[2] Based on the initial scheduling conference, and our call with Chief Magistrate Judge Mann's law clerk on October 30, 2018, Plaintiffs were under the impression Judge Mann would decide upon the Motion. Accordingly, Plaintiffs complied with Judge Mann's individual rules and practices, submitted a courtesy copy to Judge Mann, and provided a 28-page memorandum of law. To the extent Your Honor will not assign the Motion to Judge Mann, Plaintiff respectfully requests the Motion be accepted in its current form without requiring a reduction to the 25-page limitation.